

Message Text

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ORIGIN EB-07

INFO OCT-01 CIAE-00 COME-00 DODE-00 NSAE-00 USIA-06
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FM SECSTATE WASHDC
TO USMISSION OECD PARIS

C O N F I D E N T I A L STATE 110173

EXCON

E.O. 11652: XGDS-1

TAGS: ESTC, COCOM

SUBJECT: ORGANIZATION OF LIST REVIEWS

REF: OECD PARIS 13338

FOLLOWING ARE COMMENTS ON POINTS RAISED REFTTEL:

1. SUBMISSION OF COUNTER PROPOSALS. OUR INTENT IN SETTING
45 DAY LIMIT FOR SUBMISSION COUNTER PROPOSALS WAS TO ENSURE
WE WOULD HAVE SUFFICIENT TIME TO STUDY THEM BEFORE OPENING
OF LIST REVIEW. HOWEVER, IF CONSENSUS OF COMMITTEE FAVOR
30-DAY LIMIT USDEL AUTHORIZED TO ACCEPT.

2. REVISED PROPOSALS. OUR INTENT THIS PROVISION WAS THAT
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ANY DEL WOULD BE FREE PROPOSE REVISION IN ANY PROPOSAL.
DANGER OF ABUSE WOULD BE AVOIDED BY REQUIREMENT THAT AT
LEAST ONE OTHER DELEGATION AGREES THAT REVISED PROPOSAL
WOULD FACILITATE REACHING AGREEMENT ON AN ITEM.

3. WRITTEN POSITIONS. WE CANNOT ACCEPT A REQUIREMENT TO
SUBMIT A WRITTEN POSITION ON EACH PROPOSAL AND COUNTER

PROPOSAL FOUR WEEKS BEFORE THE OPENING OF THE LIST REVIEW BECAUSE THERE IS NOT SUFFICIENT TIME TO DO SO. WE FRANKLY DO NOT SEE THE NECESSITY FOR SUCH A REQUIREMENT. EACH PROPOSAL AND COUNTER PROPOSAL MUST BE ACCOMPANIED BY AN ADEQUATE JUSTIFICATION. DELEGATES ARE FURTHER FREE TO SUBMIT THEIR STATEMENTS IN SUPPORT OF A PROPOSAL. THERE IS AT PRESENT NO REQUIREMENT THAT DELEGATIONS MUST SUBMIT WRITTEN POSITIONS ON ALL PROPOSALS PRESENTED AT THE LIST REVIEW. THIS WOULD FURTHER PREJUDGE AND FIX POSITIONS BEFORE ANY ARGUMENTATION HAS BEEN HEARD.

4. PROPOSALS FOR CONSISTENCY WOULD INVOLVE ANY CHANGES TO BE MADE IN ONE ITEM NECESSARY FOR CONSISTENCY WITH CHANGES BEING CONSIDERED OR AGREED IN ANOTHER ITEM.

5. ITEMS NOT ON AGENDA AFFECTED BY A TABLED PROPOSAL. THIS IS THE SAME AS OUR PROPOSALS FOR CONSISTENCY.

6. ESTABLISHMENT OF AGENDA. WE HAD PROPOSED THAT THE AGENDA BE ESTABLISHED THREE WEEKS BEFORE THE OPENING OF THE FIRST ROUND TO GIVE OUR TECHNICIANS SUFFICIENT TIME TO MAKE THEIR TRAVEL PREPARATIONS. IF ALL PROPOSALS ARE TO BE SUBMITTED FOUR MONTHS BEFORE THE OPENING OF THE LIST REVIEW IT SHOULD BE POSSIBLE TO SET THE AGENDA THREE WEEKS BEFORE THE START OF THE REVIEW.

7. INTERVAL BETWEEN THE ROUNDS. USDEL MAY ACCEPT "AT LEAST FOUR MONTHS BUT NOT MORE THAN FIVE MONTHS" BUT SHOULD FIRST MAKE REASONABLE EFFORT TO OBTAIN AGREEMENT ON LONGER CONFIDENTIAL

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PERIOD IN US PROPOSAL.

8. TECHNICAL WORKING GROUPS. WE CAN ACCEPT JAPANESE SUGGESTION THAT COMMITTEE ESTABLISH IN ADVANCE OF ROUND I ITEMS TO BE CONSIDERED BY TWG AS LONG AS POSSIBILITY REMAINS OPEN FOR REFERRAL OF ITEMS TO TWG DURING ROUND I IF PLENARY DISCUSSIONS INDICATE THIS WOULD BE HELPFUL TO REACH AGREEMENT.

9. RATIFICATION AND ENTRY INTO FORCE. OUR PROPOSAL IS THAT DRAFT LIST WOULD BE RATIFIED 45 DAYS AFTER REVISION BY REVIEW GROUP AND THEN COME INTO FORCE 30 DAYS AFTER THIS CLEARANCE AS YOU SUGGEST. IT IS IMPLICIT THAT NO DELEGATION MAY RETAIN AD REFERENDUM BEYOND THE 45 DAYS.

10. ATTENDANCE OF EXPERTS. WE WILL, TO THE EXTENT POSSIBLE, PROVIDE THE USDEL WITH TECHNICAL SUPPORT IF DISCUSSIONS ARE HELD OVER TO THE END OF THE LIST REVIEW. CHRISTOPHER

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